## 1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8 9 WILLIAM JAMES WALLACE, Case No. 1:20-cv-00844-NONE-EPG (PC) 10 Plaintiff, ORDER REQUIRING STATEMENTS 11 SCHEDULE AND DISCOVERY 12 THIRTY (30) DAY DEADLINE v. 13 J. WHITE, et al., 14 Defendant(s). 15 16 The Court has screened Plaintiff's complaint and has ordered the case to proceed. Before 17 scheduling this case, the Court will require each party to submit a statement regarding the 18 schedule and discovery matters. 19 The statements regarding the schedule and discovery shall be filed within thirty days from 20 the date of service of this order. They should be filed with the Court, titled "SCHEDULING" 21 AND DISCOVERY STATEMENT," and include the name of the party filing the statement. 22 They shall address all of the following issues: 23 A brief summary of the parties' claims and/or defenses. i. 24 ii. The name and, if known, the address and telephone number of each witness, 25 besides expert witnesses, the party may call at trial. 26 iii. A description by category and location of all documents the party may use at 27 trial. 28

1	iv.	Whether any third parties, other than Plaintiff's institution of confinement, are
2		likely to have relevant documents.
3	v.	Whether the party intends to use expert witnesses.
4	vi.	If a settlement conference has not occurred, when the party will be prepared to
5		participate in a settlement conference.
6	Defendar	nt(s)' Scheduling and Discovery Statement shall also address all of the following
7	issues:	
8	vii.	Whether a third party subpoena directed at Plaintiff's institution of
9		confinement will be necessary to obtain relevant documents.
10	viii.	Whether Defendant(s) intend to challenge the issue of exhaustion and, if so,
11		when Defendant(s) will be ready to file a motion for summary judgment
12		regarding the issue of exhaustion.
13	ix.	Whether witness statements and/or evidence were generated from
14		investigation(s) related to the event(s) at issue in the complaint, such as an
15		investigation stemming from the processing of Plaintiff's grievance(s).1
16	х.	Whether there are any video recordings or photographs related to the
17		incident(s) at issue in the complaint, including video recordings and
18		photographs of Plaintiff taken following the incident(s).
19	Finally, any party may also include any information that the party believes would assist i	
20	discovery and/or scheduling the case.	
21	IT IS SO ORDE	RED.
22	Dated: <b>Ju</b>	une 7, 2021  /s/ Encir P. Story  UNITED STATES MAGISTRATE JUDGE
23		UNITED STATES MAGISTRATE JUDGE
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25		
26	<sup>1</sup> See Wood	Aford v. Ngo, 548 U.S. 81, 94-95 (2006) ("[P]roper exhaustion improves the quality of those
27		re eventually filed because proper exhaustion often results in the creation of an administrative l to the court. When a grievance is filed shortly after the event giving rise to the grievance,

witnesses can be identified and questioned while memories are still fresh, and evidence can be gathered and

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preserved.").